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September 2, 2004

PATENT APPLICATION  
DOCKET NO.: 3799.1002-000

10/506387

0109 Rec'd PCT/PTO 02 SEP 2004

IN THE UNITED STATES RECEIVING OFFICE (RO/US)  
Designated/Elected Office (DO/EO/US)

U.S. National Stage of  
International Application No.: PCT/EP03/02397  
International Filing Date: 4 March 2003  
Earliest Priority Date: 6 March 2002  
Applicants: Joachim Kieffer, Oemer Uensal, Gordon Calundann,  
and James Crivello  
Title: Proton Conducting Electrolyte Membrane Having Reduced Methanol Permeability and the  
Use Thereof in Fuel Cells  
Attorney's Docket No.: 3799.1002-000

Date: 02 September 2004

EXPRESS MAIL LABEL NO. EV214940737US

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application  
file wrapper.  
(Filed after payment of issue fee)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HP/

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Statement Under 37 CFR 1.97(e)

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- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) under 37 CFR 1.98(a)(3) are satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☒ for Reference AL, the enclosed English language abstract and English language patent equivalent cited at reference AC.
- ☒ for Reference AN, the English language equivalent EPO patent, as cited as reference AM.

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☐ Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner\_\_\_\_\_  
Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

## Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

By 

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Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *August 2, 2004*

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3799.1002-000		DT09 Rec'd PCT/EP/03/02397 10/506387 02 SEP 2004 FILING DATE 4 March 2003	
INFORMATION DISCLOSURE IN AN APPLICATION  September 2, 2004  (Use several sheets if necessary)		FIRST NAMED INVENTOR Joachim Kiefer		CONFIRMATION NO. Not assigned	
		EXAMINER Not assigned		GROUP Not assigned	

## U.S. PATENT DOCUMENTS

EXAM- INER IN- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AK	4,187,333	02-05-1980	Rembaum et al.
	AB	6,096,369	08-01-2000	Anders et al.
	AC	US 6,368,587 B1	04-09-2002	Anders et al.
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	AC3			

EXAMINER	/Helen Pezzuto/	DATE CONSIDERED	05/01/2008
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HP/			

INFORMATION DISCLOSURE IN AN APPLICATION  September 2, 2004  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3799.1002-000	U.S. NATIONAL STAGE OF PCT/EP03/02397 FILING DATE 4 March 2003	
	FIRST NAMED INVENTOR Joachim Kiefer		
	EXAMINER Not assigned	CONFIRMATION NO. Not assigned	GROUP Not assigned

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL	EP 0 893 165 A2	01-27-1999	Huels Chemische Werke AG		X
	AM	EP 1 202 365 A1	05-02-2002	Center for Advanced Science and Technology Incubation, Ltd.		
	AN	WO 00 54351	09-14-2000	Center for Advanced Science and Technology Incubation, Ltd.		X
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EXAMINER /Helen Pezzuto/	DATE CONSIDERED 05/01/2008 ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HP/
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PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3799.1002-000		PCT/EP03/02397 10/506387	
INFORMATION DISCLOSURE IN AN APPLICATION  September 2, 2004  (Use several sheets if necessary)		FIRST NAMED INVENTOR Joachim Kiefer		FILING DATE 4 March 2003	
		EXAMINER Not assigned		CONFIRMATION NO. Not assigned	
				GROUP Not assigned	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	"Production of Cation Exchange Membrane", <i>Patent Abstracts of Japan</i> , Vol. 02, No. 131, pg. 2798, October 31, 1978.
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EXAMINER /Helen Pezzuto/	DATE CONSIDERED 05/01/2008
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